

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LASHUNDRA JACKSON

Plaintiff,

V.

STATE OF ALABAMA DEPARTMENT OF
TRANSPORTATION, JOE MCINNES, IN HIS
OFFICIAL CAPACITY AS DIRECTOR OF THE
STATE OF ALABAMA DEPARTMENT OF
TRANSPORTATION

Defendants.

~~~~~

CASE NO.: 2:07-CV-645-MEF

## REPORT OF PARTIES' PLANNING MEETING

Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on **September 17, 2007**, with participation by the following:

KELL A. SIMON on behalf of plaintiff, LaShundra Jackson

ANDREW REDD on behalf of defendants, Alabama Department of Transportation and Joe McInnes.

1. **Pre-Discovery Disclosures.** The parties will exchange by **October 15, 2007** the information required by Rule 26.

2. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

Discovery will be needed on the following subjects:

- i. factual information concerning the alleged discriminatory treatment and termination of the plaintiff;
- ii. any and all damages claimed by the plaintiff;
- iii. plaintiff's employment history and work performance;
- iv. general issues of liability; and
- v. any and all issues raised in the answer, including affirmative defenses.

3. All discovery commenced in time to be completed by **May 1, 2008.**
4. **Written discovery** will be conducted in compliance with the Federal Rules of Civil Procedure.
5. **Depositions:** Maximum of 9 depositions by each party, each deposition to be limited to a maximum of 7 hours unless extended by agreement of the parties.
6. Reports from retained experts under Rule 26(a)(2) due:  
From the plaintiff by **February 1, 2008**  
From the defendant by **March 1, 2008**
7. **Electronic Discovery.** The parties have discussed the production of electronically stored information and suggest that such information be handled as follows: Defendants may have electronically stored information and will produce such responsive information to plaintiff in paper form, in a .pdf format, or on compact or digital video discs.
8. **Supplementation under Rule 26.** All supplementation under Rule 26 will be due immediately upon discovering additional information, with final supplementation due within 30 days of the discovery deadline.
9. **Other Items.**
  - a. **Scheduling Order Conference:** The parties do not request a conference with the court before entry of the scheduling order.
  - b. **Additional Parties:**
    1. The plaintiff should be allowed until **December 1, 2007** to join additional parties and to amend the pleadings.
    2. The defendant should be allowed until **January 1, 2008** to join additional parties and to add defenses and amend the pleadings.
10. All potentially dispositive motions should be filed by **April 1, 2008.**
11. The parties request a final pretrial conference by **July 1, 2008.**
12. Final lists of trial evidence under Rule 26(a)(3) should be due:
  - a. From the plaintiff: witnesses and exhibits by 30 days before trial;

- b. From defendant: witnesses and exhibits by 30 days before trial;
- c. Parties should have 14 days after service of final lists of trial evidence to list objections under Rule 26(a)(3).
- d. The case should be ready for trial by August 2008 and, at this time, is expected to take approximately 2 to 3 days.

Respectfully submitted,

\_\_\_\_\_  
s/ Kell Simon

Kell Simon, ASB-0214-O77K  
Attorney for Plaintiff

**OF COUNSEL:**

ROSS MELTON  
1104 San Antonio Street  
Austin, Texas 78701  
(512) 474-7677  
(512) 474-5306 (facsimile)

\_\_\_\_\_  
s/ Andrew Redd

Jim Ippolito (IPP-001)  
Andrew Redd (RED-001)  
Jason A. Trippe (TRI-012)  
Attorney for Defendants

**OF COUNSEL:**

ALABAMA DEPARTMENT OF TRANSPORTATION  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110  
(334) 242-6350  
(334) 264-4359 (facsimile)